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09/656,815	09/07/2000	Alan F. Rodriquez JR.	B-68149(014354/0004	1848

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EXAMINER

SHIH, SALLY

ART UNIT	PAPER NUMBER
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3624

DATE MAILED: 01/30/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/656,815

Applicant(s)

RODRIQUEZ ET AL.

Examiner

Sally Shih

Art Unit

3624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 September 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

### DETAILED ACTION

1. This application has been reviewed. Original claims 1-21 are pending. The objections and rejections cited are as stated below:

#### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kramer et al. (United States Patent Number 6,163,772).

Claim 1: Kramer et al. discloses a system for transmitting credit transaction data comprising: a remote hub system coupled to a communications medium, the remote hub system receiving credit transaction data from one or more point of sale systems, encrypting the credit transaction

Art Unit: 3624

data, and transmitting the encrypted credit transaction data over the communications medium (Abstract, Fig. 12A, 12 B, 18A, 21A, 23, and 27); and

a gateway system coupled to the communications medium, the gateway system receiving the encrypted credit transaction data, decrypting the encrypted credit transaction data, and transmitting the credit transaction data to an authorization system (Abstract, Fig. 12A, 12 B, 18A, 21A, 23, 27 and column 129, lines 25-35).

Claim 2: Kramer et al. discloses one or more point of sale systems coupled to the remote hub system (Abstract, Fig. 15B and column 29, lines 25-35).

Claim 3: Kramer et al. discloses the authorization system coupled to the gateway system, the authorization system receiving the credit transaction data from the gateway system and determining an authorization code based upon the credit transaction data (Abstract, Fig. 15B and column 29, lines 25-35).

Claim 4: Kramer et al. discloses system of claim 1 further comprising:

a first authorization system coupled to the gateway system (Abstract, Fig. 15A, column 28, lines 41-67);

a second authorization system coupled to the gateway system (Abstract, Fig. 15A, column 28, lines 41-67); and

Art Unit: 3624

wherein the gateway system transmits the credit transaction data to the first or second authorization system based upon the credit transaction data (Abstract, Fig. 15A, column 28, lines 41-67).

Claim 5: Kramer et al. discloses the system of claim 1 further comprising a second gateway system coupled to the communications medium, the second gateway system receiving the encrypted credit transaction data, decrypting the encrypted credit transaction data, and transmitting the credit transaction data to the authorization system (Abstract, Fig. 4, 5A-5F, 6A, 6B, 12A, 12B, 18C).

Claim 6: Kramer et al. discloses the system of claim 5 further comprising the authorization system coupled to the gateway system and the second gateway system, the authorization system receiving the credit transaction data from the gateway system and the second gateway system, determining an authorization code based upon the credit transaction data, and transmitting an authorization code to one of the gateway system and the second gateway system (Abstract, Fig. 4-8, 35 and column 91, lines 28-61).

Claim 7: Kramer et al. discloses the system of claim 1 further comprising:

a first point of sale system coupled to the remote hub system, the first point of sale system transmitting credit transaction data to the remote hub system (Abstract, Fig. 1A-1C, 2, 3, 15B and column 28, lines 11-38);

a second point of sale system coupled to a second remote hub system, the second point of sale system transmitting second credit transaction data to the second remote hub system, the second

Art Unit: 3624

remote hub system transmitting the second credit transaction data to the gateway system

(Abstract, Fig. 1A-1C, 2, 3, 15B and column 28, lines 11-38); and

wherein the gateway can receive the credit transaction data and the second credit transaction data and can transmit the credit transaction data and the second credit transaction data to one of the authorization system or a second authorization system (Abstract, Fig. 1A-1C, 2, 3, 15B and column 28, lines 11-38).

Claim 8: Kramer et al. discloses the system of claim 1 wherein the remote hub system further comprises:

a protocol translator receiving the credit transaction data from the one or more point of sale systems according to a transmission protocol (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B and column 28, lines 11-38); and

an encryption system coupled to the protocol translator, the encryption system receiving the credit transaction data from the protocol translator and encrypting the credit transaction data (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B and column 28, lines 11-38).

Claim 9: Kramer et al. discloses an apparatus for transmitting credit transaction data over a communications medium comprising:

a protocol translator receiving the credit transaction data from one or more point of sale systems according to a transmission protocol (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B and column 28, lines 11-38); and

Art Unit: 3624

an encryption system coupled to the protocol translator, the encryption system receiving the credit transaction data from the protocol translator and encrypting the credit transaction data (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B and column 28, lines 11-38).

Claim 10: Kramer et al. discloses the apparatus of claim 8 further comprising a device router coupled to the protocol translator, the device router transmitting authorization data received in response to the credit transaction data to the one or more point of sale systems in response to the credit transaction data and the authorization data (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B, 17 and column 28, lines 11-38) .

Claim 11: Kramer et al. discloses the apparatus of claim 8 further comprising a management system interface coupled to the protocol translator, the management system storing a protocol module to the protocol system (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B and column 28, lines 11-38).

Claim 12: Kramer et al. discloses the apparatus of claim 8 further comprising a management system interface coupled to the encryption system, the management system storing an encryption module to the encryption system (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B, 18A-18D and column 28, lines 11-38).

Art Unit: 3624

Claim 13: Kramer et al. discloses a method for transmitting credit transaction data over a communications medium comprising:

receiving credit transaction data from a point of sale device (Abstract, column 128, lines 50-58, column 129, lines 15-21);

encrypting the credit transaction data (Abstract, Fig. 12A, 12 B, 15A, 18A, 21A, 23, 27 and column 28, lines 41-67);

transmitting the encrypted credit transaction data over the communications medium (Abstract, Fig. 12A, 12 B, 15A, 18A, 21A, 23, 27 and column 28, lines 41-67);

decrypting the encrypted credit transaction data; determining which of two or more authorization systems is the appropriate authorization system to provide the credit transaction data to (Abstract, Fig. 12A, 12 B, 15A, 18A, 21A, 23, 27 and column 28, lines 41-67);and  
transmitting the credit transaction data to the appropriate authorization system (Abstract, Fig. 12A, 12 B, 15A, 18A, 21A, 23, 27 and column 28, lines 41-67).

Claim 14: Kramer et al. discloses the method of claim 13 wherein receiving the credit transaction data from the point of sale device comprises receiving credit transaction data from one of two or more point of sale devices (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B, 17 and column 28, lines 11-38).

Claim 15: Kramer et al. discloses the method of claim 13 wherein encrypting the credit transaction data comprises encrypting the credit transaction data using an encryption module



Art Unit: 3624

received from a hub manager (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B and column 28, lines 11-38).

Claim 16: Kramer et al. discloses the method of claim 13 wherein transmitting the encrypted credit transaction data over the communications medium comprises transmitting the encrypted data in an HTTP format (Abstract, Fig. 1A-1C, 2, 3, 8, 10, 14, 15B and column 28, lines 11-38).

Claim 17: Kramer et al. discloses a method for controlling the transmission of credit transaction comprising:

transmitting one or more control messages to a remote hub (Abstract, Fig. 3, 6A-6B, 9, 17, 18C and column 64, lines 7-31);

processing the control message at the remote hub (Abstract, Fig. 3, 6A-6B, 9, 17, 18C and column 64, lines 7-31); and

performing a control function at the remote hub in response to the control message (Abstract, Fig. 3, 6A-6B, 9, 17, 18C and column 64, lines 7-31).

Claim 18: Kramer et al. discloses the method of claim 17 wherein performing the control function at the remote hub in response to the control message comprises transmitting status data for the remote hub (Abstract, Fig. 3, 6A-6B, 9, 17, 18C and column 64, lines 7-31).

Claim 19: Kramer et al. discloses the method of claim 17 wherein performing the control function at the remote hub in response to the control message comprises transmitting status

data for one or more point of sale devices connected to the remote hub (Abstract, Fig. 3, 6A-6B, 9, 17, 18C and column 64, lines 7-31).

Claim 20: Kramer et al. discloses the method of claim 17 wherein performing the control function at the remote hub in response to the control message comprises updating the remote hub with a protocol module (Abstract, Fig. 3, 6A-6B, 9, 17, 18C and column 64, lines 7-31).

Claim 21: Kramer et al. discloses the method of claim 17 wherein performing the control function at the remote hub in response to the control message comprises updating the remote hub with an encryption module (Abstract, Fig. 3, 6A-6B, 9, 17, 18C and column 64, lines 7-31).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. USPN 5,778,173, USPN 5,917,913, USPN 5,963,924, USPN 6,032,137 and JP02000293577A are cited of interest.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sally Shih whose telephone number is 703-305-8550. The examiner can normally be reached on Flexible Schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent Millin can be reached on 703-308-1065. The fax phone numbers for the organization where this application or proceeding is assigned are 703-305-7687 for regular communications and 703-305-7658 for After Final communications.

Art Unit: 3624

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

sys

January 21, 2003



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